

MEETINGS TO DATE 19  
NO. OF REGULARS 15  
NO. OF SPECIALS 4

LANCASTER, NEW YORK  
AUGUST 24, 1987

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 24th day of August 1987, at 6:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
DONNA G. STEMPNIAK, PLANNING BOARD CHAIRMAN  
BRIAN A.J. FAHEY, PLANNING BOARD MEMBER  
ANTHONY FRANJOINE, PLANNING BOARD MEMBER  
JOHN P. GOBER, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: GEORGE E. O'NEIL, PLANNING BOARD MEMBER  
JOHNSTON N. REID, JR. PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR

**PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of the rezone petition of James D. DiLapo, Jr., (a/k/a World Specialty & Development Co.) for a project known as Forest Stream Village. Previously, the Municipal Review Committee made certain findings at a meeting held on July 1, 1987 and did not adopt a final determination at that time, but reserved their decision pending receipt of further data from the developer on Item Nos. 1, 4, 5, 6, 14, 18, and 19 on the Full Environmental Assessment Form Part 2.

**IN THE MATTER OF THE SEQR REVIEW OF THE REZONE PETITION OF  
JAMES D. DI LAPO, JR. FOR A PROJECT KNOWN AS FOREST STREAM VILLAGE**

The joint boards then proceeded with the Environmental Assessment on the Forest Stream Village matter with an item for item review and discussion of the project impact and magnitude as outlined on a Full Environmental Assessment Form Part 2 for Item Nos. 1, 4, 5, 6, 14, 18 and 19.

**The Review Committee found as follows:**

- Item 1 - The proposed action will result in a small to moderate physical change to the project site.
- Item 4 - The proposed action will have a small to moderate impact upon non-protected, existing or new bodies of waters; namely the creation of detention and drainage facilities of approximately 9.4 acres.
- Item 5 - The proposed action will have a small to moderate effect upon surface or ground water quality or quantity; namely the action would use approximately 135,000 gallons of water a day from a 36 inch water main on Transit Road; also siltation during construction period only.
- Item 6 - The proposed action will have a small to moderate effect upon drainage flow patterns or surface water runoff; namely in the creation of detention and drainage facilities.
- Item 14 - There will be a small to moderate impact to existing transportation systems; namely an increase in the traffic entering into and exiting from the project site.
- Item 18 - There will be a small to moderate impact upon the character of the existing community; namely the project will create jobs during and after construction.
- Item 19 - There is no, nor is there likely to be, any public controversy related to potential adverse environmental impacts.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER, WHO MOVED ITS  
ITS ADOPTION, SECONDED BY PLANNING  
BOARD MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described project, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Nicholas LoCicero, Deputy Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development proposal is of a parcel involving approximately 92 acres.

The location of the premises being reviewed is on the east side of Transit Road at the south boundary of the Town of Lancaster.

The development is known and locally referred to as "Forest Stream Village".

#### REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the project impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
2. There will be no effect to any unique or unusual land forms found on the site.
3. The project will not affect any water body designated as protected.
4. The proposed action will have a small to moderate impact upon non-protected, existing or new bodies of waters; namely the creation of detention and drainage facilities of approximately 9.4 acres.
5. The proposed action will have a small to moderate effect upon surface or ground water quality or quantity; namely the action would use approximately 135,000 gallons of water a day from a 36 inch water main on Transit Road; also siltation during construction period only.
6. The proposed action will have a small to moderate effect upon drainage flow patterns or surface water runoff; namely in the creation of detention and drainage facilities.
7. The project will not affect air quality.
8. The project will not affect any threatened or endangered species.
9. The project will not substantially affect non-threatened or endangered species.
10. The project will not affect agricultural land resources.
11. The project will not affect aesthetic resources.
12. The project will not impact upon any site or structure of historic, pre-historic or paleontological importance.
13. The project will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. There will be a small to moderate impact to existing transportation systems; namely an increase in the traffic entering into and exiting from the project site.
15. The project will have a small to moderate effect on the community's sources of fuel or energy supply.
16. There will be no objectional odors, noise, or vibration as a result of this project.
17. The project will not affect public health and safety.
18. There will be a small to moderate impact upon the character of the existing community; namely the project will create jobs during and after construction.
19. There is not, or is there likely to be, public controversy related to potential adverse environmental impacts.

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is here by authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA	VOTED NO
COUNCILMAN GIZA	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
PLANNING BOARD CHAIR. STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER FAHEY	VOTED NO
PLANNING BOARD MEMBER FRANJOINE	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER O'NEIL	WAS ABSENT
PLANNING BOARD MEMBER WHITTAKER	VOTED YES
PLANNING BOARD MEMBER REID	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

August 24, 1987

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the joint meeting was adjourned at 7:50 P.M.

Signed Robert P. Thill

Robert P. Thill, Town Clerk

MEETINGS TO DATE 20  
NO. OF REGULARS 16  
NO. OF SPECIALS 4

LANCASTER, NEW YORK  
AUGUST 24, 1987

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 24th day of August 1987, at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
THOMAS E. FOWLER, CHIEF OF POLICE  
ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Josela Enterprises for property located at 5711 Broadway, Lancaster, New York. The property involved is locally known as the "Rademacher Property".

The Supervisor excused himself from any participation in this public hearing stating that, as a private attorney, he represents the Rademacher family which owns the property upon which the rezone is sought. The Supervisor left the dias and turned the chairmanship of the meeting over to the Deputy Supervisor, Ronald A. Czapla.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner and the Erie County Division of Planning, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "The proposed zoning action is subject to review; the Division makes the recommendations as shown on Form ZR-4, Recommendation of Proposed Zoning Action, which is attached hereto".

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPOSERS

Joseph Giallanza, Petitioner and  
Pres., Josela Enterprises

ADDRESS

5653 Broadway  
Lancaster, New York

QUESTIONS

Dennis Kessler  
Ray Lewandowski  
Michael Karb  
Henri Pecqueur  
Olive Nuwer  
James McIvor  
William Karn  
Joanne Karn  
John Beer  
Harry King  
Kathleen Slawatycki  
Ernest Getzoni

ADDRESS

45 Glendale Dr.  
17 Glendale Dr.  
41 Glendale Dr.  
39 Glendale Dr.  
33 Glendale Dr.  
47 Glendale Dr.  
5676 Broadway  
5676 Broadway  
5698 Broadway  
5710 Broadway  
5721 Broadway  
9 Old Schoolhouse Rd.

OPPOSITION

None of the speakers specifically opposed the project as a whole but Mr. Getzoni, Mr. McIvor, Mr. Beer, Mr. and Mrs. Karn and Mr. King expressed serious concern about the increased traffic that this project would generate and the traffic problems they anticipate it would create.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:15 P.M.

The Deputy Supervisor informed those present that the Town Board would reserve decision on this matter.

The Supervisor, at this time, returned to the room and took over the Chairmanship of the meeting.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board, held on August 10, 1987, as presented by the Town Clerk, be and  
hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 24, 1987

File: R-MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY SUPERVISOR KEYSA , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 GIZA , TO WIT:

WHEREAS, certain on-site modifications in the alterations of the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York have resulted in the necessity of a change order, and

WHEREAS, Shelgren & Marzec, Architects, by letter dated August 10, 1987, has recommended such change order be accepted by the Town of Lancaster, and said change order is on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the following change order:

Change Order No. 5 - HSVP Contract -  
Frank C. Kellner Co., Inc.:

1. Install new 4" concrete pad for new boiler	Add	427.00
2. raise sprinkler line over basement lower hall north/south ramp, move sprinkler line in basement on south side of hall to clear lighting fixtures, relocate compressor line in basement to clear relocated ductwork, install semi-recessed sprinkler in basement women's toilet	Add	581.00
3. omit specified patching of walls and floors	Deduct	94.00
4. relocate sprinkler line in basement men's toilet	Add	118.00
5. relocate convectors (2) in Tax Clerk's area on first floor to accommodate new shelving and furniture layouts	Add	140.00

Net Total Add	1,172.00
Contract Amt.	<u>146,842.00</u>
Adjusted Contract Amt.	148,014.00

and,

BE IT FURTHER

RESOLVED, that the adjusted contract amount for Frank C. Kellner Co., Inc. for the rehabilitation of Lancaster Town Offices, is subject to the following conditions:

- a) the aforementioned changes and the work affected thereby are subject to all contract stipulations and covenants,
- b) the rights of the Town of Lancaster are not prejudiced,
- c) all claims against the Town of Lancaster which are incidental to, or as a consequence of, the aforementioned changes are satisfied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

File: R-CHNG-ORD (Page 1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town Board, by resolution dated January 1, 1986,  
extended certain benefits enjoyed by the members of the Town of Lancaster  
Police Department, under their negotiated contract, to the Captain and to  
the Chief of Police, and

WHEREAS, a previously extended benefit, namely "Section 10.01 Sick  
Leave Benefits" was inadvertently omitted from the list of extended  
benefits,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution adopted by the Town Board of the  
Town of Lancaster, on January 1, 1986, extending certain benefits enjoyed by  
members of the Lancaster Town Police Department, under their negotiated  
contract to the Captain and the Chief of Police, be and is hereby amended by  
adding thereto the following extended benefit:

Section 10.01 Sick Leave Benefits.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, Belmont Shelter Corporation has proposed a twenty-four unit apartment complex for low income senior citizens to be located on Broadway in the Town of Lancaster, and

WHEREAS, the census data shows that, while the population of the Town of Lancaster remained relatively static during the period from 1970 to 1980, the number of persons aged 60 and over increased by more than 1300, for a total of 5,060 persons, and

WHEREAS, census data reflects that 16.7% of the population of the Town of Lancaster consists of persons over age 60 with an increase of nearly 35% in that age group during the period from 1970 to 1980, and

WHEREAS, there is not such a facility available in the Town of Lancaster outside of the Village of Lancaster, and

WHEREAS, the nearest facility (The Towers) has an extensive, almost prohibitive waiting list, and

BELIEVING that affordable and appropriate housing can be an effective deterrent to institutional placement and care, the Town Board of the Town of Lancaster hereby

AFFIRMS its support for a housing project for the elderly in the Town of Lancaster as being in the best interests of the people of the said Town, it is hereby

ORDERED, that upon adoption of this motion that the Town Clerk of the Town of Lancaster be and is hereby directed to forward copies of same to the United States Senators Moynihan and D'Amato; Congressman Nowak; County Executive Rutkowski; and Joseph P. Lynch, Area Manager, Department of Housing and Urban Development.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

RESOLVED, that the following budget amendments be and hereby are  
authorized to the 1987 Townwide General Fund Budget and Part Town Fund  
Budget:

**BUDGET AMENDMENT - GENERAL FUND**

	<u>ACCT. NO.</u>	<u>INCREASE</u>
Estimated Revenues	A 510	7,600.00
Appropriated Fund Balance	A 599	41,800.00
Budget Appropriations	A 960	49,400.00
State Reimbursement - Public Safety		
Equipment	A3389	7,600.00
Unallocated Insurance	A1910.411	40,000.00
Municipal Association Dues	A1920.411	200.00
Purchase of Land	A1940.411	500.00
Refund of Prior Year's Taxes	A1970.411	100.00
Central Data Processing - Personal		
Services - Pt/Vac/Sick	A1680.103	1,000.00
Police - Contractual Expenses -		
Uniforms	A3120.442	7,600.00

**BUDGET AMENDMENT - PART TOWN FUND**

Estimated Revenues	B 510	1,025.00
Budget Appropriations	B 960	1,025.00
Miscellaneous Revenues	B2770	1,025.00
Disaster Preparedness - Contractual		
Expenses	B3670.4	1,025.00

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town of Lancaster has been operating the Town of Lancaster Fire Dispatch Service at the Lancaster Town Police Base Station, and

WHEREAS, the Town of Lancaster is uniquely situated and able to furnish a fire dispatch service on behalf of adjacent communities, and

WHEREAS, the Town of Alden and the Town of Alden have heretofore entered into a Joint Service Agreement for Fire Dispatch Service to be provided by the Town of Lancaster to the Town of Alden, pursuant to Section 119-o of the General Municipal Law of the State of New York, which Agreement expires at the end of calendar year 1987, and

WHEREAS, pursuant to said Agreement, fire dispatch service is being provided through the Town of Lancaster Police Base Station to the fire departments of the Village of Alden, Millgrove Volunteer Fire Department, Town Line Volunteer Department and Crittenden Volunteer Fire Company, and

WHEREAS, said Agreement provides for an advisory board consisting of representatives from each of the fire companies, Lancaster Town Police Chief, and the Supervisor and a Councilman of the Towns of Lancaster and Alden,

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to renew said Joint Service Agreement,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby is authorized and directed to execute the Joint Service Agreement for Fire Dispatch Service provided by the Town of Lancaster to the Town of Alden, on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore  
authorized the construction of a water line in Enterprise Drive in the Town of  
Lancaster, and

WHEREAS, plans and specifications therefor have been filed by the  
Town Engineer with the Town Clerk and reviewed by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that sealed proposals will be received by the Supervisor  
of the Town of Lancaster on Thursday, September 17, 1987 at 4:00 o'clock P.M.,  
Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for  
furnishing all materials, labor and equipment to install an 8-inch water line  
on Enterprise Drive in the Town of Lancaster, in accordance with specifications  
on file in the Town Clerk's Office, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to place a  
Notice to Bidders in the Lancaster Bee, the official newspaper of the Town of  
Lancaster, and post a notice thereof as required by the Town Law of the State  
of New York, which Notice shall be in the form attached hereto and made a part  
hereof.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

NOTICE TO CONTRACTORS  
FOR  
INSTALLATION OF 8-INCH WATER LINE  
ON ENTERPRISE DRIVE  
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that, pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received, publicly opened, read aloud, and considered by the Town Board on the 17th day of September, 1987, at 4:00 o'clock P.M., Local Time, in the meeting room at the Town Hall, 21 Central Avenue, Lancaster, New York 14086, for furnishing all materials, labor and equipment to install an 8-inch water line on Enterprise Drive, Lancaster, New York. Proposals will be received in accordance with contract documents and specifications prepared by Krehbiel Associates, Inc., for the Town of Lancaster, a copy of which is on file with the Town Clerk at his office in the Town Hall, Lancaster, New York, where the same may be examined during the usual business hours.

Copies of the contract documents required for review or bidding purposes may be obtained at the offices of Krehbiel Associates, Inc., 1868 Niagara Falls Boulevard, Tonawanda, New York, upon deposit of \$25.00 for each set of documents so obtained. The full amount of the deposit for one set of documents and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the Town, and who also returns the documents in good condition to the Engineer within thirty (30) days after his bid security has been returned to him. Equipment, manufacturers, contractors, subcontractors and others who do not submit formal proposals to the Town will be refunded one-half of the amount of the deposit for all sets of complete documents returned in good condition to the Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period.

Each proposal must be accompanied by a certified check, payable to the Town of Lancaster, or bid bond, having a surety amount not less than ten percentum (10%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the contract.

All bids shall be submitted in sealed envelopes addressed to the Town of Lancaster and shall be plainly marked on the outside with the Contractor's name and title of his bid.

Attention of the bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the Contract.

The Owner reserves the right to reject any or all bids for failure to comply with the requirements of the Contract Documents but may, at its discretion, waive any informalities or irregularities.

The Owner further reserves the right to reject any or all bids or to award a contract which, in its judgment, is in the best interest of the Owner.

No Bidder may withdraw his bid within forty-five (45) days after the opening thereof, but may withdraw same at any time prior to the opening thereof.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town of Lancaster has certain Federal Revenue Sharing  
Funds which have been unappropriated to date, and

WHEREAS, the Federal government requires that all Federal Revenue  
Sharing Funds must be designated for a particular purpose by September 30, 1987,  
and

WHEREAS, the Town Board wishes to receive public comment on the use  
of these Federal Revenue Sharing funds;

NOW, THEREFORE, BE IT

RESOLVED, that a hearing to determine the use of the Federal Revenue  
Sharing Fund balance in the amount of \$5,068.98 will be held on September 8,  
1987, at 8:15 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue,  
Lancaster, New York, at which time the Board will hear public comment as to  
the use of such unappropriated Federal Revenue Sharing Funds, and that Notice  
shall be published in the Lancaster Bee, the Official Newspaper, and posted on  
the Town Bulletin Board, said Notice to be in form attached hereto and made a  
part hereof.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lancaster will hold a Public Hearing on the 8th day of September, 1987, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of receiving public comment as to the use of the Town's unappropriated Federal Revenue Sharing Funds in the amount of \$5,068.98.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

August 24, 1987

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 2869 to Claim No. 3106 Inclusive.

Total amount hereby authorized to be paid:

\$315,130.34

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
are hereby approved and the Issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
312	James Niland	26 Petersbrook Cir.	EXT. SIN. DWLG
313	M/M Richard Ehlers	31 Shady Side La.	ER. SHED
314	M/M Joseph Walters	164 Peppermint Rd.	ER. POOL
315	J.M. Marrano Partner.	2, 4, 6, 8, 10, & 12 Eastwood Pkwy.	ER. SIN. DWLGS, GARAGES
316	Charles Nichter	151 Peppermint Rd.	ER. BARN
317	Donald Casto	4 Petersbrook Cir.	ER. POOL
318	Philip Occhino	1 Ravenwood Dr.	ER. PATIO COVER
319	Gerry Mejak	33 Country Pl.	ER. SHED
320	Paul Wodzinski	44 Heritage Dr.	EXT. SIN. DWLG
321	Greg Rosinski	15 Shadyside La.	ER. FENCE
322	Michael Sebastian	173 Schwartz Rd.	ER. GARAGE
323	Toni Harhigh	1172 Penora St.	ER. SHED
324	Robert Yesina	174 Stony Rd.	ER. PATIO
325	Michael Mason	234 Stony Rd.	ER. POOL
326	M/M Stanley Pawelek	487 Harris Hill Rd.	ER. SHED
327	Thos. Falgiano	37 Schlemmer Rd.	ER. SHED
328	Fred Danato	14 Plumb Creek Dr.	ER. SIN. DWLG, GARAGE
329	Brian Colvin	360 Lake Ave.	ER. SIN. DWLG, GARAGE
330	John W. Doyle	613 Columbia Ave.	ER. SIN. DWLG, GARAGE
331	M/M Paul Bannochie	336 Lake Ave.	ER. POLE BARN
332	Town of Lancaster	40 Clark St.	ER. FENCE

and,

BE IT FURTHER

RESOLVED, that Building Permit Application No. 329 be and is hereby  
approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

File: R-BLDG (P1&2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town of Lancaster has received public bids at the  
request of the Recreation Department for general repair to various town-owned  
recreation areas, and

WHEREAS, the Town Board has reviewed the bids received with the  
recreation department and the Town Attorney, and

WHEREAS, it has been determined that the bid specifications were  
unclear with regard to the requirement of the State Labor Law §220 as to payment  
of prevailing wage rates, and

WHEREAS, it appears that the low bidder was unaware of this require-  
ment due to the lack of notice in the bid specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rejects  
all bids received on this project, and

BE IT FURTHER

RESOLVED, that the Town will re-advertise for public bids on this  
project at some future date.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

WHEREAS, the Town of Lancaster has previously approved the site plan for Eastwood Village, a townhouse development on William street, on April 6, 1987, and

WHEREAS, the Town Board, on August 10, 1987, approved the architectural design of said development, and

WHEREAS, the developer must file a Subdivision Map cover with the Erie County Clerk and the Town Clerk must certify the approval of the Town Board on the Map Cover,

NFOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby re-approves the site plan submitted by the developer of Eastwood Village for purposes of filing the Map Cover with the Erie County Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

File: R-SUB-DEVEL

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK, TO WIT:

WHEREAS, the Youth Bureau has requested authorization to expend funds for the publication and distribution of a handbook entitled "Safe Homes Parents Handbook", and

WHEREAS, the expenditures involved in the publication and distribution of this handbook will be 100% reimbursed by the State of New York and by private contributors, and

WHEREAS, up-front seed money is required for the publication and distribution of this handbook prior to receipt of reimbursement by the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Youth Bureau to expend the sum of Five Thousand (\$5,000.00) Dollars for the publication and distribution of a handbook entitled "Safe Homes Parents Handbook", and

BE IT FURTHER

RESOLVED, that the Youth Bureau, on publication and distribution of said handbook, seek 100% reimbursement of expended funds for this project from the State of New York and by private contributors.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

August 24, 1987

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1987.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase II and Phase III (Marrano/Marc Equity).  
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase IV (Marrano/Marc Equity).  
On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 109 (street lighting), 110 (sidewalks), 111 (pavement and curbs), 112 (storm sewer), and 113 (water line). On July 6, 1987, the Town Board accepted P.I.P. Nos. 111 (pavement and curbs), 112 (storm sewer), and 113 (water line). This item remains under unfinished business until P.I.P. No. 109 (street lighting) is accepted and a retention basin is constructed on the Lancaster Sr. High School property.
4. Public Improvement Permit Authorization - Countryside Subdivision, Phase II (Josela Enterprises)  
On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 102 (street lighting), and 103 (sidewalks). This item remains under unfinished business until the street lights and sidewalks are installed.
5. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase I (Marrano/Marc Equity)  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
6. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase II (Marrano/Marc Equity)  
On March 16, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 104 (water line), 105 (storm sewer), 106 (pavement and curbs), 107 (sidewalks), and 108 (street lighting).
7. Public Improvement Permit Authorization - Indian Pine Village (Fischlone Const., Inc.)  
On August 10, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 122 (street lighting), 123 (sidewalk), 124 (pavement and curbs), 125 (storm sewer), and 126 (water line).
8. Public Improvement Permit Authorization - Lancaster Commerce Center (Gelert Development)  
The Town Board authorized issuance of P.I.P. Nos. 79 (water main) and 80 (retention basin) on June 6, 1983.
9. Public Improvement Permit Authorization - Plumb Estates (Galasso)  
The Town Board authorized issuance of P.I.P. Nos. 99 (storm sewer), 100 (water line), and 101 (pavement and curbs) on October 6, 1986.  
The Town Board authorized issuance of P.I.P. Nos. 114 (street lights) and 115 (sidewalks) on April 28, 1987.
10. Public Improvement Permit Authorization - Plumb Estates South, Phase I (Galasso)  
The Town Board authorized issuance of P.I.P. Nos. 116 (pavement and curbs), 117 (storm sewer), and 118 (water line) on August 11, 1987.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

11. Public Improvement Permit Authorization - Plumb Estates South, Phase II (Gallasso)  
The Town Board authorized issuance of P.I.P. Nos. 119 (pavement and curbs), 120 (water line), and 121 (storm sewer) on August 11, 1987.
12. Rezone Petition - James D. Dilapo, Jr. (Forest Stream Village)  
On May 19, 1987, this petition was referred to the Planning Board for review and recommendation. On June 1, 1987, the Town Board set a public hearing on this matter for June 15, 1987. On June 15, 1987, the Town Board held a public hearing on this matter and reserved decision.
13. Rezone Petition - Josela Enterprises (Bowen Rd.)  
On June 2, 1986, this petition was referred to the Planning Board for review and recommendation.
14. Rezone Petition - Josela Enterprises (5711 Broadway - Radmacher Property)  
On June 15, 1987, this petition was referred to the Planning Board for review and recommendation. On August 10, 1987, the Town Board set a public hearing on this matter for August 24, 1987. On August 24, 1987, the Town Board held a public hearing on this matter and reserved decision.
15. Special Use Permit - August Kelcher  
On August 24, 1987, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
16. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redleln Dr.)  
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
17. Subdivision Approval - The Meadows Subdivision (Giallanza - Aurora)  
On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report. On September 3, 1986, the Planning Board recommended to the Town Board approval of this proposed subdivision. On September 26, 1986, the Planning Board rescinded their recommendation for approval of the preliminary plot previously adopted on September 3, 1986.
18. Traffic Study - Intersection, Central Avenue and Impala Parkway  
On March 16, 1987, a request for a traffic light at this intersection was referred to the Police and Safety Committee and to the Police Chief for review and recommendation. The Police Chief recommended a lower speed limit on Central Avenue. The Town Clerk was directed to remove this item from future Town Board agendas.
19. Traffic Study - Intersection, Genesee Street and Ransom Road  
On December 1, 1986, the Town Board petitioned the NYSDOT for a lower speed limit in this area.
20. Traffic Study - Speed Reduction, Peppermint Road  
On March 16, 1987, this matter was referred to the Police and Safety Committee and to the Police Chief for investigation and recommendation.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

21. Zoning Ordinance and Map Update

On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.

PERSONS ADDRESSING THE TOWN BOARD:

The following persons spoke to the Town Board relative to firearms discharge within the Town of Lancaster:

James Guenther	562 Pavement Road
Ernest Getzoni	9 Old Schoolhouse Road
Harold Schroeder	24 Irwinwood Road

Mr. Joseph Juszczak, 600 Pleasant View Drive, informed the Board that a crossroad sign is missing traveling west on Pleasant View Drive as one approaches Stony Road.

The Town Clerk was requested to notify the County Highway Dept. of this missing sign.

Mr. Burt Lyons, 35 Camner Avenue, complimented the Supervisor and the Town Board upon the restoration of the Town Hall.

Mr. Lyons did note however that the Town Hall front door, which is locked at 9:00 p.m. for building security reasons, should be left open the entire length of the Town Board meetings.

COMMUNICATIONS:DISPOSITION

585. Marrano/Marc Equity to Town Board - Request refund re: P.I.P. fees for Country View East Sbudivision, Phase IV.	ENGINEER _____ _____ _____
586. James D. DiLapo, Jr. to Town Board - Comments re: ForestsTream Village.	R & F _____ _____
587. Supervisor to County CD Office - Suggestions re: 1987-88 Block Grant Funds pertaining to proposed detention basin, Ditch D-1.	R & F _____ _____
588. Bureau of Census to Supervisor - Comments re: 1990 Census.	BUILDING INSPECTOR _____ _____
589. Supervisor to County Dept. of Public Works - List of areas of concern re: County roads.	R & F _____ _____
590. Off. of State Comptroller to Supervisor - Comments re: three State Aid programs.	R & F _____ _____
591. County Dept. of Health to Supervisor - Transmittal of Approval of Plans for Enterprise Drive.	R & F _____ R & F _____
592. Planning Board to Town Board - Minutes from meeting held 8/5/87.	R & F _____ _____
593. Ted Malone to Supervisor - Notice that old boiler has been given to Lancaster School District.	R & F _____ _____
594. County Dept. of Environment and Planning to David J. Thielman, P.E. - Notice that sanitary sewerage facilities shown on construction plans for proposed Ward Rd. sanitary sewer are acceptable.	R & F _____ _____ _____ _____
595. Marrano/Marc Equity Corp. to Supervisor - Proposal re: Country View East and Heritage Hills retention basins.	DRAINAGE COMMITTEE _____ _____
596. Safety & Health Mgt. Consultants, Inc. to N.Y.S. Employer - Notice of Right to Know Seminar to be held on 9/15/87 at Amherst.	TOWN CLERK FOR ATTENDANCE _____ _____
597. Town Engineers to G & M Electrical Contractors - Offical notice to proceed with work on the Baseball Diamond Lighting Project.	R & F _____ _____
598. Town Line F.D. to Town Board - Notice of Hazmat Drill to be held 9/26/87 on Town Line Rd. and Cayuga Cr. Bridge.	R & F _____ _____
599. County Health Dept. to Galasso Family Enterprises - Certificate of Approval of Realty Subdivison Plans for Plumb Estates South.	R & F _____ _____
600. Town Clerk to Planning Board Chair. - Transmittal of Special Use Permit application of August Keicher.	R & F _____ _____
601. D.C.O. to Town Board - Monthly report for July 1987.	R & F _____ _____
602. Highway Supt. to Town Board - Request change of Sr. Clerk Typist position to non-competitive class.	BUDGET COMMITTEE _____ _____

COMMUNICATIONS CONT'D:DISPOSITION

603. County Div. of Highways to Public Safety Comm. Chair. - Notice that traffic study for Bowen and William will be conducted as workload permits.	PUBLIC SAFETY COMM. _____ _____ _____
604. Assessor to Town Board - Annual report.	R & F _____ _____
605. Town Attorney to Saperston & Day, Attorneys - Status of matters re: Lancaster Commerce Center.	R & F _____ _____
606. County Div. of Highways to Supervisor - Notice of final inspection to be held 8/26/87 re: Town Line Rd. Bridge.	R & F _____ _____
607. Rockefeller Institute of Government to Supervisor - Notice of second annual conference on state- local government relations to be held 9/29/87 at Albany.	TOWN CLERK FOR RESOLUTION 9/8/87 _____ _____ _____
608. D.C.O. to Town Board - Request authorization to attend the N.Y.S. Humane Assoc. annual meeting in N.Y. City from 9/11-12/87.	TOWN CLERK FOR RESOLUTION 9/8/87 _____ _____ _____
609. County CD Director to Supervisor - Response to letter re: need for detention basin.	ENGINEER DRAINAGE COMM. _____ _____
Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.	
610. County Planning Division to Town Clerk - Zoning Coordination Referral reply re: Josela Rezone hearing.	R & F _____ _____
611. Various County Emergency Mgrs. to Supervisor - Notice of regional conference to be held 9/9/87 at Grand Island.	CHIEF BLAIR BUILDING INSPECTOR _____ _____

ADJOURNMENT:

ON MOTION OF COUNCILMAN MILLER, AND SECONDED BY THE ENTIRE TOWN BOARD  
AND CARRIED, the meeting was adjourned at 10:20 P.M. out of respect to:

IRENE MAUTE  
ROGER KRUGER  
NORMAN SHARICK  
DEP. ROBERT INSALACO

HOWARD BOVE  
JIM CASEY  
FRED DI PASQUALE

Signed

*Robert P. Thill*

Robert P. Thill, Town Clerk